

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN LASH,

Plaintiff,

v.

ISIDRO BACA et al.,

Defendants.

3:16-cv-00324-MMD-WGC

ORDER

I. DISCUSSION

According to the Nevada Department of Corrections ("NDOC") inmate database, Plaintiff is no longer incarcerated. According to Plaintiff's filing on July 8, 2016, Plaintiff expected to be housed at the Freedom House, 3852 Palos Verdes St., Suite 40, Las Vegas, Nevada 89119 after July 19, 2016.¹ (ECF No. 8 at 2). Plaintiff noted that he would be at the Freedom House temporarily. (*Id.*) The Court takes judicial notice that, in one of Plaintiff's other cases, the Court has received mail as undeliverable when addressed to Plaintiff at the Freedom House.² As such, Plaintiff has not filed an updated address with this Court.

The Court notes that pursuant to Nevada Local Special Rule 2-2, "[t]he plaintiff must immediately file with the court written notification of any change of address. The notification must include proof of service on each opposing party or the party's attorney. Failure to comply with this rule may result in dismissal of the action with prejudice." Nev. Loc. Special R. 2-2. This Court grants Plaintiff until Friday, February 24, 2017 to file his updated address with this

¹ Plaintiff labels his change of address notice as a motion to update his address (ECF No. 8). The Court grants this motion and directs the Clerk of the Court to update Plaintiff's address to Freedom House, 3852 Palos Verdes St., Suite 40, Las Vegas, Nevada 89119.

² See *Lash v. Doe*, 3:16-cv-00202-RCJ-VPC at ECF No. 9.

1 Court. If Plaintiff does not update the Court with his current address on or before Friday,
2 February 24, 2017, the Court will dismiss this action without prejudice.

3 Additionally, the Court denies the motion for an extension of time to file an application
4 to proceed *in forma pauperis* for prisoners (ECF No. 6) and the application to proceed *in forma*
5 *pauperis* for prisoners (ECF No. 7) as moot because Plaintiff is no longer incarcerated. The
6 Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner
7 on or before Friday, February 24, 2017 or pay the full filing fee of \$400.

8 **II. CONCLUSION**

9 For the foregoing reasons, **IT IS ORDERED** that Plaintiff shall file his updated address
10 with the Court on or before **Friday, February 24, 2017**.

11 **IT IS FURTHER ORDERED** that the motion for extension of time (ECF No. 6) is
12 DENIED as moot.

13 **IT IS FURTHER ORDERED** that Plaintiff's application to proceed *in forma pauperis* for
14 prisoners (ECF No. 7) is DENIED as moot.

15 **IT IS FURTHER ORDERED** that the motion to update address (ECF No. 8) is
16 GRANTED. The Clerk of the Court shall update Plaintiff's address to Freedom House, 3852
17 Palos Verdes St., Suite 40, Las Vegas, Nevada 89119.

18 **IT IS FURTHER ORDERED** that the Clerk of the Court SHALL SEND Plaintiff the
19 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
20 document entitled information and instructions for filing an *in forma pauperis* application.

21 **IT IS FURTHER ORDERED** that on or before **Friday, February 24, 2017**, Plaintiff shall
22 either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or
23 (2) pay the full filing fee of \$400.

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1 **IT IS FURTHER ORDERED that**, if Plaintiff fails to timely comply with this order, the
2 Court shall dismiss this case without prejudice.

3 DATED: January 25, 2017.

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6 William G. Cobb
7 United States Magistrate Judge
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